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Ty O. Ahmad-Taylor

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EXAMINER

GRAHAM, PAUL J

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/823,869	Applicant(s) AHMAD-TAYLOR, TY O.	
	Examiner PAUL J. GRAHAM	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 38-50 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 38-50 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant argues:

Improper combination of Lajoie in view of Russ.

The Examiner disagrees and notes that the examiner has noted the rationale for combining the references on page 3 of the Office Action dated 11/29/07.

The cited references fail to disclose displaying episode descriptions without requiring prior user identification of the episodes.

The Examiner disagrees. LaJoie does teach displaying a series title (the theme sports, as defined in the instant specification [0036], a general classification of programs) and a plurality of episode descriptions (All about drag racing, Budweiser golf classic descriptions of start time, channel, summary of an episode, as defined in the instant specification [0036], a particular program available) for episodes available on-demand for the series (these episodes are available on demand—as soon as the viewer selects said episode) (see LaJoie, fig. 20) and therefore LaJoie does implicitly teach displaying series and episode information simultaneously. Certainly with this, LaJoie teaches displaying the series title and episode descriptions within. LaJoie also teaches displaying the episode descriptions without requiring prior user identification of the episodes available on –demand for the series (see LaJoie, fig. 20 shows a further description of the “CBS Sports Special” without the user identifying the episode, i.e., the episode was listed by the guide logic, the display of the description occurs with the entry to theme mode and fig. 28 shows a barker screen with episode descriptions for a video on demand).

The applicant's arguments have been fully considered, but are not persuasive. In view of the amended claim language, a broad reading of LaJoie shows that the claims are still met. As such all claims (claims 1-16 and 38-50) stand rejected.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 41 and 48 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claim 41, windows 60 and 64, showing still images of data which MAY originate from media source does NOT show episode images and is not supported as such [31] notes that they may be series data (not episode data), with respect to fig. 4, [56] notes that window 220 “can be changed overtime to display other **series**—not episodes.

In claim 48, no personal video recorder listings is new matter and not supported in the instant application; in fact, [33] of the specification notes that recording functionality may be available and recorded material accessible, suggesting that PVR episode descriptions are possible within this system—that is counter to the newly added material teaching a “preventing” of PVR episode descriptions. Claims 41 and 48 are in violation of 35 U.S.C. 112 for use of new matter and are rejected based on said violation.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 46-47, 49-50 are rejected under 35 U.S.C. 102(b) as being anticipated over LaJoie et al. (US 5850218).

As to claim 46, LaJoie discloses a method of electronically displaying an on-demand listings guide, the method comprising (see LaJoie, figs. 1-4 and col. 2, ll. 1-7:

providing a user controllable interface that allows a user to browse through and select one of a plurality of available series titles (see LaJoie, fig. 20, guide is a user controllable interface to browse and select titles), and

displaying episode descriptions for a plurality of episodes available on-demand for the selected series title, wherein the displayed episode descriptions each at least include a title and synopsis for the corresponding episode (see LaJoie, fig. 20, plurality of series titles-themes (general categories of programs as in instant spec [36]), each of the listed episode titles corresponding with an episode available on-demand for one of the series titles (see plurality of episode titles listed (particular programs as in instant spec [36] and corresponding to available on-demand for the series titles (see LaJoie, fig. 20, the guide shows what is available for viewing-as description denotes, ch, time, length, a synopsis).

As to claim 47, LaJoie discloses the method of claim 46 further comprising limiting the displayed episode descriptions to episodes previously specified by a television service provider as being available for on-demand viewing (see LaJoie, fig. 20, the episodes displayed and *starred* are available for viewing from 4pm and the time of request was 4:19PM, therefore the episodes were previously specified by service provider as being available).

As to claim 49, LaJoie discloses the method of claim 46 further comprising displaying the episode descriptions without requiring prior user identification of the available episodes series (see LaJoie, fig. 20 shows a further description of the "CBS Sports Special" without the user identifying the episode, i.e., the episode was listed by the guide logic, the display of the description occurs with the entry to theme mode and fig. 28 shows a barker screen with episode descriptions for a video on demand).

As to claim 50, LaJoie discloses the method of claim 46 further comprising displaying a preview image for a highlighted one of the episode titles, the preview image providing at least one static image from at least one scene of the episode (see LaJoie, fig. 20, displayed is a static image from scene is depicted for a highlighted episode title).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8, 10, 12-16, 38-40, and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie et al. (US 5850218) in view of Russ et al. (US 2004/0060063 A1).

As to claim 1, LaJoie discloses a method for electronically displaying an on-demand listings guide, the method comprising (see LaJoie, figs. 1-4 and col. 2, ll. 1-7):

LaJoie does teach displaying a series title (the theme sports, as defined in the instant specification [0036], a general classification of programs) and a plurality of episode descriptions (All about drag racing, Budweiser golf classic descriptions of start time, channel, summary of an episode, as defined in the instant specification [0036], a particular program available) for episodes available on-demand for the series (these episodes are available on demand—as soon as the viewer selects said episode) (see LaJoie, fig. 20) and therefore LaJoie does implicitly teach displaying series and episode information simultaneously. Certainly with this, LaJoie teaches displaying the series title and episode descriptions within. LaJoie also teaches displaying the episode descriptions without requiring prior user identification of the episodes available on –demand for the series (see LaJoie, fig. 20 shows a further description of the “CBS

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Sports Special" without the user identifying the episode, i.e., the episode was listed by the guide logic, the display of the description occurs with the entry to theme mode and fig. 28 shows a barker screen with episode descriptions for a video on demand).

The LaJoie reference is not clear on displaying episode information for those available on-demand for the series; however, Russ, who discloses a PVR IPG, does teach this (see Russ, fig. 16, the series, "Barney" is displayed simultaneously with information for a plurality of episodes for "Barney" (if highlighted that episode of Barney will display info in top left of guide screen) and the episodes have been recorded and are selectable for on-demand viewing).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the EPG method of LaJoie with the PVR listing system of Russ so that episodal information on a particular series of on-demand programming is made available to the viewer in a single interface (see Russ, [0019-0020]).

As to claim 2, LaJoie and Russ (as combined in claim 1) disclose the method of claim 1 further comprising simultaneously displaying a plurality of series, wherein each displayed series can be selected to display the plurality of episodes available on-demand for the selected series (see Russ, fig. 15, 16 and [0024], any channel configured for only a given series will list only episodes of that series when recalled (as in fig. 16)).

As to claim 3, LaJoie and Russ (as combined in claim 1) disclose the method of claim 1 wherein displaying the on-demand listings guide includes magnifying one of the plurality of displayed episodes in a window (see Russ, fig. 16, the highlighted episode is listed in the upper left window (in a font set apart from the others listed)).

As to claim 4, LaJoie and Russ (as combined in claim 1) disclose the method of claim 3 further comprising displaying in the window an episode title and an episode description for the selected episode (see Russ, fig. 16, "Barney" and desc. of record date / channel is the title while "Barney shows us how to play nice" is the episode description).

As to claim 5, LaJoie and Russ (as combined in claim 1) disclose the method of claim 3 further comprising displaying a number of actuatable buttons in the window, at least one of the buttons being a PREVIEW button to preview the selected episode (see Russ, fig. 16, there are buttons (a-c) on the bottom panel of the grid which may be activated and once an episode is highlighted it is Previewed in the "(video)" window.

Neither LaJoie nor Russ teach a button on their grids that reads "PREVIEW"; however, official notice is taken that it is well known in the art that a button by another name may lead to a preview of the video signal such that any of the "browse by" buttons available on either grid will bring about a preview in the PIP window available in either browser (see LaJoie, fig. 21 or Russ, fig. 16).

As to claim 6, LaJoie and Russ (as combined in claim 1) disclose the method of claim 5 wherein previewing the episode includes displaying the preview in the window (see LaJoie, fig. 21 or Russ, fig. 16).

As to claim 7, LaJoie and Russ (as combined in claim 1) disclose the method of claim 5 wherein displaying the actuatable buttons includes at least displaying a GO TO SHOW button to order the selected episode (see LaJoie, fig. 12, pressing "B" buy will order the video event selected).

Neither LaJoie nor Russ explicitly teach a "GO TO SHOW" button for ordering; however, official notice is taken that it is well known in the art that a video event order button may read something other than "GO TO SHOW".

As to claim 8, LaJoie and Russ (as combined in claim 1) disclose the method of claim 5 wherein displaying the actuatable buttons includes displaying an ADULT LOCK button to prevent ordering of the selected episode (see LaJoie, fig. 9 and 10 for a channel blocking feature that is a configurable setting (like a button)).

Neither LaJoie nor Russ teach a button that reads "ADULT LOCK" to prevent ordering (or viewing) of an episode (or channel); however, official notice is taken that it is well known in the art

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that the channel (episode)-blocking feature of a video listing does not have to take the form of a button that reads "ADULT LOCK".

As to claim 10, LaJoie and Russ (as combined in claim 1) disclose the method of claim 1 further comprising ordering a selected episode for viewing, and further displaying a control panel during viewing of the selected episode, the control panel having actuatable buttons for executing operations relating to the selected episode (see LaJoie, fig. 31, while viewing the video in the PIP window, a control panel at the bottom of the page allows the viewer to get a "summary" or "buy" the video).

As to claim 12, LaJoie and Russ (as combined in claim 1) disclose the method of claim 10 wherein displaying the control panel includes displaying a button to record the selected episode (see Russ, fig. 6 on the PVR IPG a "record options button ("b") is available in the control panel at the bottom of the screen for the recording (and its parameters) of a selected episode).

As to claim 13, LaJoie and Russ (as combined in claim 1) disclose the method of claim 1 further comprising providing navigation capability through the listings guide which includes scrolling the episode descriptions information into a fixed window to select the corresponding episode for on-demand viewing (see LaJoie, fig. 29, the barker channel is a fixed window with scrolling of episode descriptions info into the window for selecting the corresponding episode which is viewable on demand when selected and purchased).

As to claim 14, LaJoie and Russ (as combined in claim 1) disclose the method of claim 13 wherein scrolling includes scrolling in a first direction to change the displayed series and scrolling in a second direction to change the selected episode (see Russ, fig. 16, the directional arrows show where the grid may be scrolled and if scrolling vertically the series will change on a grid by channel, where scrolling scrolling horizontally will change the episode of that channel (which has been configured to include a single series) due to moving across time).

As to claim 15, LaJoie and Russ (as combined in claim 1) disclose the method of claim 13 wherein the episode descriptions are scrolled into the window without any re-loading or refreshing (see LaJoie, fig. 29, the barker channel is dedicated to listing those videos for selection so no refresh is necessary, as noted above (in claim 13) the listings contain episode descriptions information).

As to claim 16, LaJoie and Russ (as combined in claim 1) disclose the method of claim 1 wherein displaying the episode descriptions includes displaying an episode title adjoined to other episode information for ease of association (see LaJoie, fig. 29, the barker channel is a fixed window with scrolling of episode descriptions info into the window for selecting the corresponding episode which is viewable on demand when selected and purchased, the listings contain episode descriptions information associated with title as the metadata display is adjoined in the on demand window, and see Russ, fig. 16 the upper left window in the grid shows episode association).

As to claim 38, LaJoie and Russ (as combined) disclose the method of claim 1 further comprising at least including a title and synopsis within each episode description (see Russ, fig. 16, "Barney" and description of record date / channel is the title while "Barney shows us how to play nice" is synopsis).

As to claim 38, LaJoie and Russ (as combined) disclose the method of claim 1 further comprising at least including a title and synopsis within each episode description (see LaJoie, fig. 20, episode title is "CBS Sports Special" and synopsis follows within description "College football's 1996 pre-Season match-ups").

As to claim 39, LaJoie and Russ (as combined) disclose the method of claim 1 further comprising streaming a selected one of the episodes over a VOD channel for on-demand viewing from a

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cable television VOD server (see LaJoie, col. 11, ll. 45-60, VOD (a service provided) is streamed by a media server and fig. 1).

As to claim 40, LaJoie and Russ (as combined) disclose the method of claim 1 further comprising displaying a preview image for a highlighted one of the episode titles, the preview image providing at least one static image from at least one scene of the episode (see LaJoie, fig. 20, displayed is a static image from scene is depicted for a highlighted episode title).

As to claim 42, LaJoie and Russ disclose the electronic programming guide (EPG) application configured

to (see LaJoie, figs. 1-4 and col. 2, ll. 1-7):

process series information received from a television service provider over a television network used to carry television signals (see LaJoie, col. 1, ll. 5-15, processing series (general classes of programs, as in instant spec [36]) info received from service provider,

the series information listing a plurality of series titles and a plurality of episode titles (see LaJoie, fig. 20, plurality of series titles-themes (general categories of programs as in instant spec [36]), each of the listed episode titles corresponding with an episode available on-demand for one of the series titles (see plurality of episode titles listed (particular programs as in instant spec [36] and corresponding to available on-demand for the series titles (see LaJoie, fig. 20, the guide shows what is available for viewing-as description denotes, ch, time, length);

provide a user controllable interface that allows a user to browse through and select one of the series titles (see LaJoie, fig. 20, guide is a user controllable interface to browse and select titles), and

automatically display at least a plurality of episode titles for the user selected series title, wherein the displayed episode titles are limited to the episode titles listed in the series information (see LaJoie, fig. 20, by default this list of programs shows up for this theme, col. 26, ll. 48-67);

LaJoie does teach displaying a series title (the theme sports, as defined in the instant specification [0036], a general classification of programs) and a plurality of episode descriptions (All about drag racing, Budweiser golf classic descriptions of start time, channel, summary of an episode, as defined in the instant specification [0036], a particular program available) for episodes available on-demand for the series (these episodes are available on demand—as soon as the viewer selects said episode) (see LaJoie, fig. 20) and therefore LaJoie does implicitly teach displaying series and episode information simultaneously. Certainly with this, LaJoie teaches displaying the series title and episode descriptions within. LaJoie also teaches displaying the episode descriptions without requiring prior user identification of the episodes available on-demand for the series (see LaJoie, fig. 20 shows a further description of the “CBS Sports Special” without the user identifying the episode, i.e., the episode was listed by the guide logic, the display of the description occurs with the entry to theme mode and fig. 28 shows a barker screen with episode descriptions for a video on demand).

The LaJoie reference is not clear on displaying episode information for those available on-demand for the series; however, Russ, who discloses a PVR IPG, does teach this (see Russ, fig. 16, the series, “Barney” is displayed simultaneously with information for a plurality of episodes for “Barney” (if highlighted that episode of Barney will display info in top left of guide screen) and the episodes have been recorded and are selectable for on-demand viewing).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the EPG method of LaJoie with the PVR listing system of Russ so that episodal information on a particular series of on-demand programming is made available to the viewer in a single interface (see Russ, [0019-0020]).

As to claim 43, LaJoie and Russ (as combined) disclose the application of claim 42 further configured to display the episodes titles without requiring the user to identify the episode titles in advance of being displayed see LaJoie, fig. 20 shows a further description of the “CBS Sports Special” without the user identifying the episode, i.e., the episode was listed by the guide logic,

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the display of the description occurs with the entry to theme mode and fig. 28 shows a barker screen with episode descriptions for a video on demand).

As to claim 44, LaJoie and Russ (as combined) disclose the application of claim 42 further configured to display an episode synopsis for each displayed episode title(see Russ, fig. 16, "Barney" and description of record date / channel is the title while "Barney shows us how to play nice" is synopsis).

As to claim 44, LaJoie and Russ (as combined) disclose the application of claim 42 further configured to display an episode synopsis for each displayed episode title (see LaJoie, fig. 20, episode title is "CBS Sports Special" and synopsis follows within description "College football's 1996 pre-Season match-ups").

As to claim 45, LaJoie and Russ (as combined) disclose the application of claim 42 further configured to request configuration of a VOD channel used to provide on-demand viewing of a selected one of the episode titles (see LaJoie, col. 29, ll. 40-58, viewer requests an impulse purchased video be viewable on demand and it is made available).

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie et al. (US 5850218) in view of Russ et al. (US 2004/0060063 A1) in further view of Boston (US 2004/0091236 A1).

As to claim 9, LaJoie and Russ (as combined in claim 1) disclose the method of claim 5 wherein displaying the actuatable buttons

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The LaJoie and Russ references are unclear on displaying a RATE IT button to rate the selected episode; however, Boston, who discloses a configurable PVR system, does teach this (see Boston, [0047] and fig. 6 and 7, where the radio button "Rate current programming" allows a logged in user to rate the program and thumbs up/down indicator may be in conjunction with this).

LaJoie or Russ or Boston are unclear on a rating button that reads "RATE IT"; however, official notice is taken that it is well known in the art that the function of rating an episode may be triggered by something other than a button the reads "RATE IT".

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie et al. (US 5850218) in view of Russ et al. (US 2004/0060063 A1) in further view of DeWeese (US 2005/0262542 A1).

As to claim 11, LaJoie and Russ (as combined in claim 1) disclose the method of claim 10 wherein displaying the control panel

The LaJoie and Russ references are unclear on displaying a button to enter a chat related to the selected episode; however, DeWeese, who discloses a TV chat system, does teach this (see DeWeese [0076] and fig. 13 for a button to enter chat).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of LaJoie and Russ with the system of DeWeese so that a related chat option was made available to the viewer (see DeWeese, [0011]).

9. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie et al. (US 5850218) in view of Russ et al. (US 2004/0060063 A1) in further view of Matthews, III (US 5 815 145).

As to claim 41, LaJoie and Russ (as combined) disclose the method of claim 1 further comprising simultaneously displaying preview images for at least two of the displayed episode titles, each preview image providing at least one static image from at least one scene of the corresponding episode

The LaJoie and Russ references are not clear on simultaneously displaying preview images for at least two of the displayed episode titles;

however, Matthews, who discloses an interactive program guide, does teach simultaneously displaying preview images for at least two of the displayed episode titles, each preview image providing at least one static image from at least one scene of the corresponding episode (see Matthews, col. 4, ll. 44-67, fig. 4 shows multiple (at least 2) displayed preview images with programming identification (the id includes program titles, given corresponding time/channel data it represents a particular episode).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of LaJoie and Russ with the system of Matthews in order to allow visual indication of program content during viewer navigation (see Matthews, col. 4, l. 50- col. 5, l. 10).

10. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie et al. (US 5850218) in view of Yogaratnam et al. (US 2005/0188384 A1).

As to claim 48, LaJoie discloses the method of claim 46 further, the LaJoie reference is unclear on preventing display of episode descriptions for episodes available from a personal video recorder of the user;

however, Yogaratnam, who discloses an electronic content processing system, does teach not showing PVR episode descriptions (see Yogaratnam, fig. 4 shows PVR software module is registered only if PVR is available (see Yogaratnam [73-75]), if not, personal video recorded

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shows are not available to be displayed on menu (see Yogaratnam, [85-86], no PVR, no PVR data avail).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of LaJoie with the system of Yogaratnam so that a dynamic processing system is made available to user so that what ever sources are not available are not supported at that time (see Yogaratnam, [86]).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ludvig et al. (US 2006/0253868 A1) shows in fig. 5 multiple windows with at least a still image (an potentially video stream) of other episodes displayed based on titles displayed in IPG grid.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL J. GRAHAM whose telephone number is (571)270-1705. The examiner can normally be reached on Monday-Friday 8:00a-5:00p EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/16/2008

/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623